

**REMARKS/ARGUMENTS**

**STATUS OF THE APPLICATION**

Claims 1, 10-13, 22, 30, 39, 48-50, and 59-94 were pending in this application and examined. All the pending claims are rejected under 35 U.S.C. §103(a) as being unpatentable over Treyz et al. (U.S. Patent 6,587,835, hereinafter “Treyz”) in view of Allard et al. (U.S. Patent 6,249,773 B1, hereinafter “Allard”).

Applicants have amended claims 22 and 74 to correct inadvertently introduced typographical errors. Applicants submit that no new subject matter has been introduced by the amendments. Claims 1, 10-13, 22, 30, 39, 48-50, and 59-94 remain pending in this application after entry of this response.

**THE CLAIMS**

**Rejections under 35 U.S.C. § 103(a)**

**Independent claims 1, 22, and 39**

Applicants submit that the features of the present invention recited in independent claims 1, 22, and 39 are not made obvious by cited references Treyz and Allard, considered individually or in combination.

Applicants believe that the inventive features recited in claims 1, 22, and 39 and their differences from the teachings of the cited references can be best illustrated using the following example. Let us assume that a user wants to purchase items from a grocery store for a particular recipe (a recipe is a type of “project” as recited in the claims). Conventionally (i.e., without the benefit of the present invention as claimed), the user first would first determine a list of generic ingredients and their associated quantities from the recipe. The user would then go to an online grocery store and search their inventory to identify purchasable items for the generic ingredients in the list. A purchasable item is generally characterized by a brand name, a quantity, and a price. The grocery store may offer several purchasable items (e.g., different

brands, quantities, etc.) for each ingredient and the user has to decide which specific purchasable item to buy.

The present invention as recited in independent claims 1, 22, and 39 ("the independent claims") enhances a user's shopping experience by completely automating the determination of purchasable items for a project. As recited in the independent claims, information identifying a project is received, and purchasable units are then automatically determined for the project, where each purchasable unit is characterized by a brand name, an amount, and a price.

Applicants submit that such automation is not taught or suggested by Treyz or Allard, considered individually or in combination. Treyz describes a handheld computing device that can be used to create shopping lists of grocery items or other items (Treyz: cols. 10 and 11). Treyz teaches that, as part of the shopping assistance service, one or more recipes and their generic ingredients can be presented to the user via the handheld computing device. (See Treyz: col. 52 lines 16-55 and col. 53 line 40 - col. 54 line 23) For example, Fig. 86 of Treyz displays a "spaghetti sauce recipe" and its generic ingredients, Fig. 87 of Treyz displays a "meat sauce recipe" and its generic ingredients, and Fig. 88 displays a "meat sauce recipe" and its generic ingredients, and Fig. 92 of Treyz displays a "southwest chicken recipe" and its generic ingredients. It is important to note that Treyz does not display purchasable items for the recipes where each purchasable item is characterized by a brand name, quantity, and price. After the generic ingredients are displayed, the user can then add one or more of the displayed generic ingredients to the user's shopping list. The user then has to one by one determine purchasable items for each generic item in the shopping list. Unlike the present invention as recited in claims 1, 22, and 39, where without requiring any intermediate user action. Applicants thus submit that Treyz does not teach the concept of automatically determining purchasable units for a project without requiring any intermediate user interaction, as recited in independent claims 1, 22, and 39.

Allard describes a shopping list tool that enables users to peruse inventories of stores in order to select items for purchase. The shopping list tool enables users to create

shopping lists and purchase products for items in the shopping list. (See Allard: Summary section in col. 2). The shopping tool enables a user to search through the inventory of products offered by a store and select items for purchase. The search can be performed using various criteria such as item brand, item description, item manufacturer, etc. The user can then select an item for purchase from the search results. (See Allard: col. 4 line 55 – col. 5 line 28; col. 6 lines 11-19). However, Applicants submit that Allard has nothing to do with projects. While Allard provides a tool for purchasing items, Allard does not teach or even suggest automatically determining purchasable items for a project, as recited in independent claims 1, 22, and 39. Accordingly, Applicants respectfully submit that Allard fails to cure the deficiency of Treyz. Neither Allard nor Treyz teach automatically determining purchasable items for a project.

Even if, assuming *arguendo*, that Treyz and Allard were combined, the resultant combination would be a tool that displays generic ingredients of recipes, enables a user to add one or more of the displayed ingredients to a shopping list, enables the user to peruse and search a store inventory for purchasable items for items in the shopping list, select purchasable items for purchase, and then purchase the selected items. The combination still does not provide the capability of automatically determining purchasable units for a project, as recited in independent claims 1, 22, and 39. The combination tool would still require the user to search for purchasable items for individual ingredients or items of a shopping list.

In light of the above, Applicants respectfully submit that independent claims 1, 22, and 39 are patentable over the cited references, considered individually or in combination.

Dependent claims 10-13, 30, 48-50, and 59-94

Applicants submit that the dependent claims are patentable for at least a similar rationale as discussed above for the patentability of independent claims 1, 22, and 39.

Additionally, Applicants submit that the dependent claims recite additional features that are not taught or suggested by the cited references considered individually or in combination.

For example, claims 59, 71, and 83 recite “projects-to-items information” where a plurality of items identifiers are associated with each project identifier, and “items-to-purchasable units information” where purchasable units are associated with item identifiers, and the use of these two types of information. The Examiner has not shown or identified how the cited references, individually or in combination, disclose these features of the claims. Applicants submit that Treyz and Allard fail to disclose these features. Applicants thus submit that this is an additional reason for allowing claims 59, 71, and 83.

As another example, claims 61, 73, and 85 recite “items-to-purchasable units information” and the use of the information. The Examiner has not shown or identified how the cited references, individually or in combination, disclose this feature of the claims. Applicants submit that Treyz and Allard fail to disclose this feature. Applicants thus submit that this is an additional reason for allowing claims 61, 73, and 85.

As another example, as recited in claims 67, 79, and 91, purchasable units from only a select set of vendors (from vendors that can provide purchasable units for a generic item) are included in the plurality of purchasable units for the project. The Examiner has not shown or identified how the cited references, individually or in combination, disclose the features of these claims. Applicants submit that Treyz and Allard fail to disclose the features of these claims. Applicants thus submit that this is an additional reason for allowing claims 67, 79, and 91.

As another example, as recited in claims 68, 80, and 92, a select set of vendors is determined to which a generic item is assigned. Purchasable units from only the select set of vendors are selected for a generic item for inclusion in the plurality of purchasable units for the project. The Examiner has not shown or identified how the cited references, individually or in combination, disclose the features of these claims. Applicants submit that Treyz and Allard fail to disclose the features of these claims. Applicants thus submit that this is an additional reason for allowing claims 68, 80, and 92.

As another example, claims 69, 81, and 93, recite “an information model”. The Examiner has not shown or identified how the cited references, individually or in combination,

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disclose this feature. Applicants submit that Treyz and Allard fail to disclose this feature. Applicants thus submit that this is an additional reason for allowing claims 69, 81, and 93.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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